

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
S/S Longfield Drive, 1275' W of *
the c/l of Longknoll Way * DEPUTY ZONING COMMISSIONER
(7303 Longfield Drive) *
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District * Case No. 97-341-A

Jon A. Eshelman, et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 7303 Longfield Drive, located in the vicinity of Belair Road in Kingsville. The Petition was filed by the owners of the property, Jon A. and Sandy Eshelman. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 30 feet in lieu of the required 50 feet for a proposed 24' x 20' addition, and to amend the Final Development Plan for Longfield Estates II, Lot 39, thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient

ORDER RECEIVED FOR FILING

Date

By

3/2/97
Jep

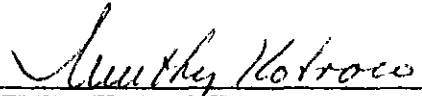
RECEIVED

facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of March, 1997 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 30 feet in lieu of the required 50 feet for a proposed 24' x 20' addition, and to amend the Final Development Plan for Longfield Estates II, Lot 39, thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 12, 1997

Mr. & Mrs. Jon A. Eshelman
7303 Longfield Drive
Kingsville, Maryland 21087

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Longfield Drive, 1275' W of the c/l of Longknoll Way
(7303 Longfield Drive)
11th Election District - 5th Councilmanic District
Jon A. Eshelman, et ux - Petitioners
Case No. 97-341-A

Dear Mr. & Mrs. Eshelman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

✓ file



Petition for Administrative Variance

97-341-A

to the Zoning Commissioner of Baltimore County

for the property located at 7303 Longfield Drive

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3

To allow an addition (garage) with a side yard setback of 30 ft. in lieu of the minimum required setback of 50 ft. and to amend the FDP of Longfield Estates II, Lot 39.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

(See reverse side)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

Jon A. Eshelman

(Type or Print Name)

Signature

Sandy Sperl-Eshelman

(Type or Print Name)

Signature

7303 Longfield Drive

(410) 592-8129

Address

Phone No

Kingsville,

Md.

21087

City

State

Zipcode

Name, Address and phone number of representative to be contacted

(same as above)

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19__ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JRF DATE: 2-12-97

ESTIMATED POSTING DATE: 2-23-97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 341

ORDER RECEIVED FOR FILING

Date 3/12/97

Affidavit in support of 97-341-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7303 LONGFIELD DRIVE
address
KINGSVILLE, MD. 21087
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

We wish to build a garage addition to our existing house which will consist of 480 s.f. (20' x 24' and will be attached at the right side of the ex. house, facing west. This side-entry two car garage will encroach over the required side setback to the property line of 50', by 20', thus leaving a 30' distance from the proposed addition to the property line. We are unable to build a detached garage for several reasons; 1) the architectural requirements in our community do not permit a front entry garage, thus due to the fact that the west property line tapers in the rear toward the center of the lot-this does not allow adequate room to maneuver a large sized automobile into the garage, 2) the grade of the rear property is such that construction would be very difficult, and much fill dirt would need to be brought in and compacted, 3) the septic tank for the home is buried in the rear approx. 30' behind approx. 30' and septic reserve extends to within approx. 30' from the west property line for a distance of approx. 100', which prohibits construction, 4) there are several large trees bordering the west property line and these would have to be removed to build any type of detached building behind the home, 5) there is a 10' drainage and utility easement which runs parallel with the west property line, which also presents a problem. The proposed addition meets architectural

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and require. for may be required to provide additional information.

the development, and has been

approved by the (signature)

HOA committee, Jon A. Eshelman

and is in harmony (type or print name)

with other homes in the development. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of Feb, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Sandy S. Eshelman + Jon Eshelman

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8-26-98
DORIS J. HALL-SCHEELER
Notary Public, State of Maryland
Harford County
Commission Expires Aug. 26, 1998

(signature)
Sandy S. Eshelman
(type or print name)

My Commission Expires:

RECORDED

ZONING DESCRIPTION

97-341-A

ZONING DESCRIPTION FOR: 7303 LONGFIELD DRIVE

Beginning at a point on the SOUTH side of LONGFIELD DRIVE which is 40' wide at the distance of 1,275 FEET WEST of the centerline of the nearest improved intersecting street of LONGKNOLL WAY which is 40' wide. Being Lot # 39, Block N/A, Section II in the subdivision of LONGFIELD ESTATES PHASE II, as recorded in Baltimore County Plat Book # 65, Folio # 96, containing 2.56 acres. Also known as 7303 LONGFIELD DRIVE and located in the 11th Election District, 5th Councilman District

341

RECORDED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026602

DATE Feb. 12, 1997 ACCOUNT E-001-GIS OCC

AMOUNT \$ 100.00

RECEIVED FROM: Estelma (7303 Longfield Dr)

01 Variance
04 Amend.

ITEM # 341

FOR: TAKEN BY: JRF

0100000185NICHRC

\$100.00

BA 6002143PM02-12-97

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

341

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 2-23-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-341-A

TO ALLOW AN ADDITION (GARAGE) WITH A
SIDE YARD SETBACK OF 30' IN LIEU OF THE
REQUIRED 50' AND TO AMEND THE FDP OF
LONGFIELD ESTATES II, LOT 39

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

MARCH 10, 1997

**ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391**

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 341

Petitioner: Jon and Sandy Eshelman

Location: 7303 Longfield Drive Kingsville, Md. 21087

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Jon and Sandy Eshelman

ADDRESS: 7303 Longfield Drive

Kingsville,

Md. 21087

PHONE NUMBER: (410) 592-8129

AJ:ggs

(Revised 09/24/96)



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

Plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Election District _____

Councilmanic District _____

1"=200 scale map of _____

Zoning _____

Lot size: _____ acreage _____ square feet

public private

SEWER: ☐ ☐

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

COPY

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-341-A
7303 Longfield Drive
S/S Longfield Drive, 1275' W of c/l Longknoll Way
11th Election District - 5th Councilmanic
Legal Owner(s): Jon A. Eshelman and Sandy Sperl-Eshelman
Post by Date: 2/23/97
Closing Date: 3/10/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Jon and Sandy Eshelman



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 2/24/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Feb 24, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

336

341

337

342

RBS:sp

BRUCE2/DEPRM/TXTSBP

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: February 27, 1997

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 321, 335, 338, 340, 341, and 343

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 2-21-97
Item No. 341 (JRF)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

LONGFIELD ESTATES PHASE II
ARCHITECTURAL REVIEW COMMITTEE
C/O 4208 EBENEZER ROAD
2ND FLOOR
BALTIMORE, MD. 21236

97-341-A

July 15, 1995

Mr. and Mrs. Jon Eshelman
7303 Longfield Drive
Kingsville, Md. 21087

RE: 7303 Longfield Drive
Lot 39, Longfield Estates, Phase II
Architectural Approval
Garage Addition

Dear Mr. and Mrs. Eshelman,

The proposed plan for the garage addition recently submitted for review by the Longfield Estates Phase II Architectural Committee has been approved, with the understanding that the addition will include the following;

- * Side entry (garage door must not face street)
- * Brick front
- * Architectural shingles
- * Exterior material colors to match existing dwelling

There is no objection to a zoning variance in order to construct this addition, providing that all criteria have been met.

LONGFIELD ESTATES PHASE II
ARCHITECTURAL REVIEW COMMITTEE



341

RECEIVED

January 11, 1997

97-341-A

I/We have no objection to the proposed addition (garage) to the residence of Jon and Sandy Eshelman. I/We understand that the addition will be built in accordance with our development architectural requirements and have no objection to the fact that the addition will encroach over the side setback line on the west side of the residence.

E. Elizabeth A. Hohmann
Name: 7300 Longfield Drive
Address: Kingsville, Md 21087

Doris Kraft
Name: 7310 Longfield
Address: Kingsville, Md. 21087

Mary Frances Shppers
Name: 7304 Longfield Drive
Address: Kingsville, Md 21087

Gladys E. Moore
Name: 7305 Longfield
Address: P.O. Box 259
Kingsville, Md 21087

341

PETITION PROBLEMS

#336 --- CAM

1. No review information on bottom of variance petition.
2. Sign form incomplete.

#337 --- JCM

1. Need authorization for person signing for legal owner.
2. Need printed name of person signing for contract purchaser.
3. Sign form incomplete.

#338 --- RT

1. No section number or request wording on petition form.

#339 --- MJK

1. Sign form incomplete.

#340 --- MJK

1. No telephone number for legal owner.
2. Notary section is incomplete.

#341 --- JRF

1. Notary section is incomplete - doesn't have notary seal, among other things.

#342 --- JCM

1. Sign form incomplete.

#343 --- JRF

1. Sign form incomplete.

2/12/97
TAX ID#: 22-00-013490
LIBER: 64 FOLIO: 96
PLAT: # 2
LOT # 39

PLAT TO ACCOMPANY PETITION FOR ZONING

Vicinity Map
1" = 1000'

97-341-A

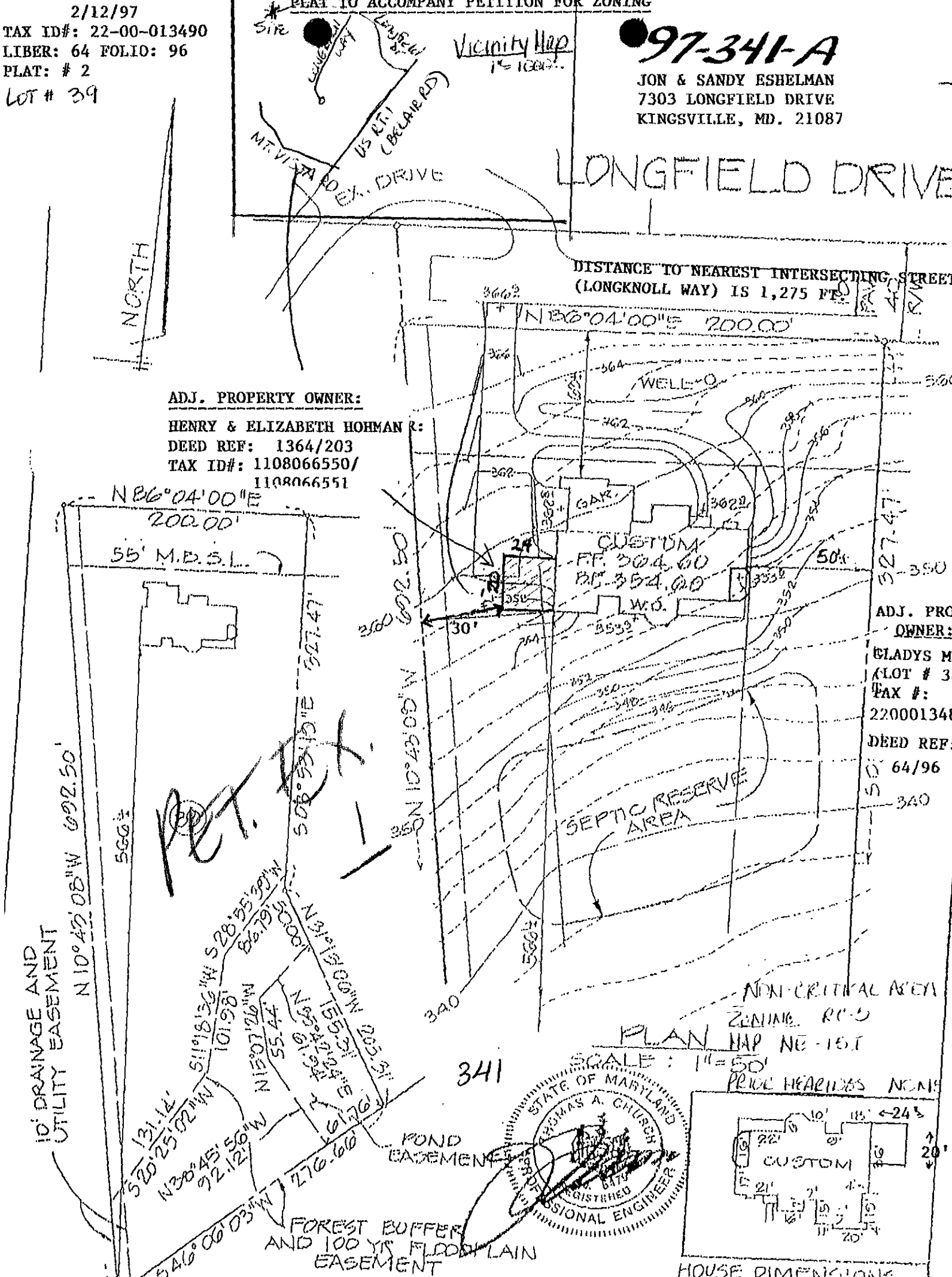
JON & SANDY ESHELMAN
7303 LONGFIELD DRIVE
KINGSVILLE, MD. 21087

LONGFIELD DRIVE

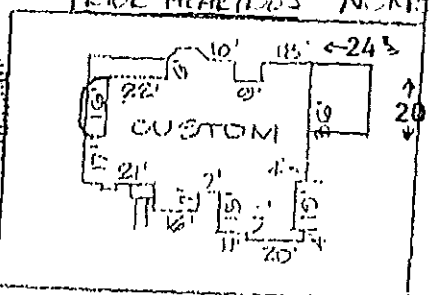
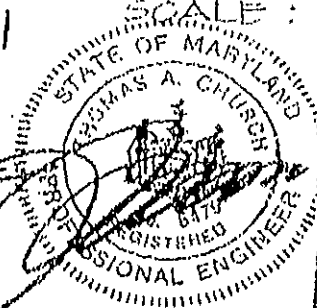
DISTANCE TO NEAREST INTERSECTING STREET
(LONGKNOLL WAY) IS 1,275 FT.

ADJ. PROPERTY OWNER:
HENRY & ELIZABETH HOHMAN R:
DEED REF: 1364/203
TAX ID#: 1108066550/
1108066551

ADJ. PROP
OWNER:
GLADYS MO
LOT # 38
TAX #:
220001348
DEED REF:
64/96
340



NON-CRITICAL AREA
ZONING: RC-5
PLAN: MAP NE-151



ETBACKS:

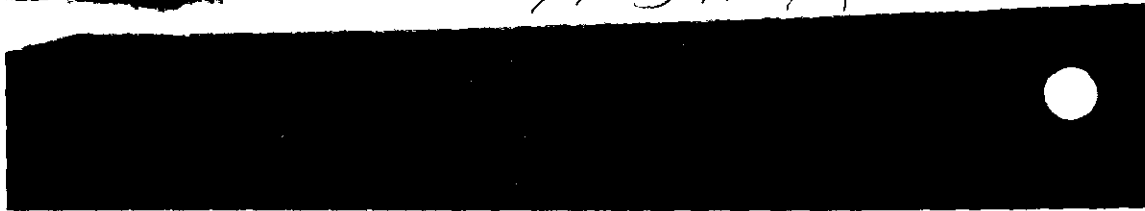
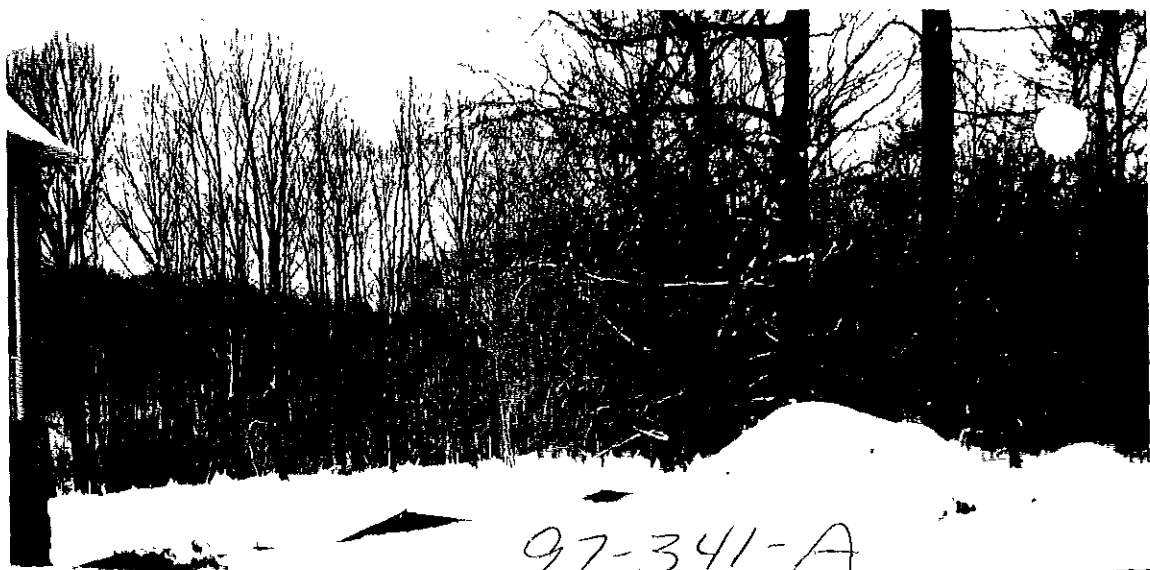
Front from P.L. 63 1/4
Left Side 34 1/2
Right Side 51 1/2
or 56 1/4 HOUSE No. 72023

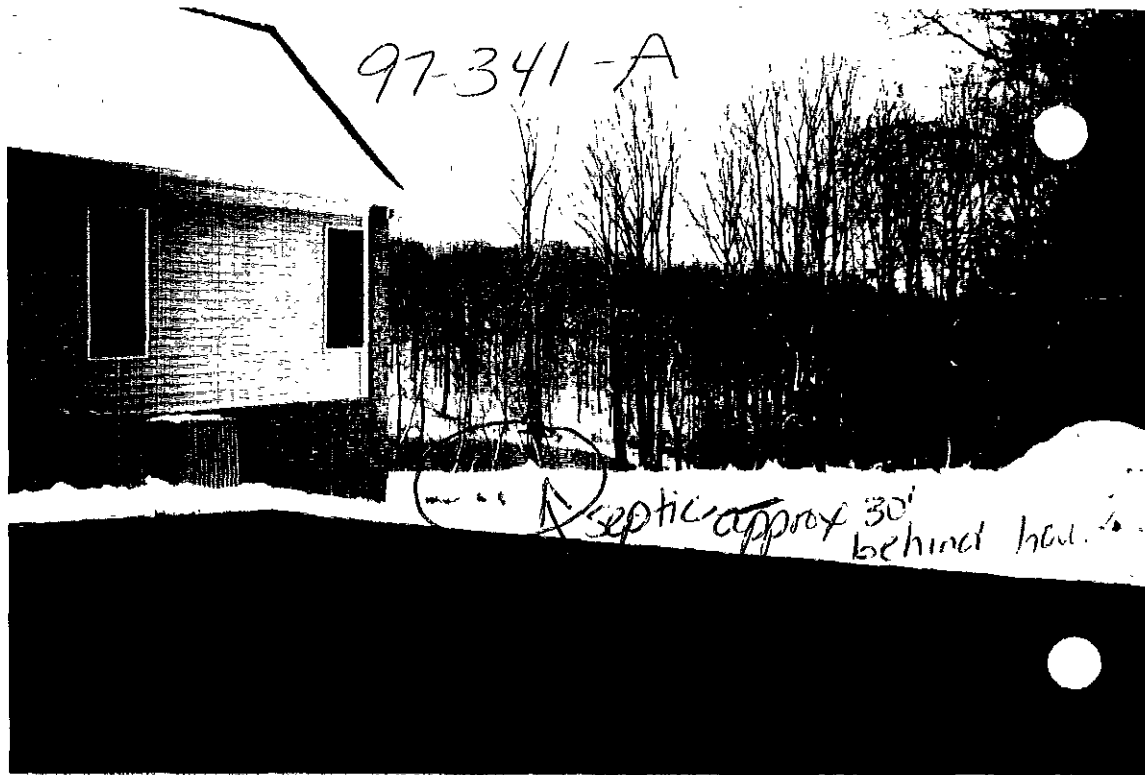
HOUSE TYPE	STD REV	WALKOUT AREAWAY	HUNG SEWER Yes or No
CUSTOM	STD.	WALKOUT	No

LOT # 39
LONGFIELD ESTATES II
ELECT. DIST. 1106 BALTIMORE, COUNTY MD
COUNCILMAN DIST.: 5
ACREAGE: 2.56 SQ. FT.: 111,513

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
6603 York Road
Baltimore, Maryland 21212
(410) 377-2600

Scale: AS SHOWN Issued: 4/29/94
REV 5/10/94







**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

SCALE	LOCATION	SHEET
1" = 200' ±	SOUTH OF FORK	N.E.
DATE OF PHOTOGRAPHY		15-1
JANUARY 1986		

1986 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
ON OCTOBER 8, 1986
Bill No. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kennedy
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

97-341-A



97341-A

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP	
SCALE 1" = 200' ±	LOCATION SOUTH OF FORK
DATE OF PHOTOGRAPHY JANUARY 1986	SHEET MICROFILMED N.E. 15-1

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401